

REMARKS**I. Status of the Claims**

Claims 1-52 were pending in the application prior to this amendment.

Claims 1-52 were rejected by the Examiner in the previous Office Action.

II. Rejections Under 35 U.S.C. §102(a):

Claims 1-4, 7-15, 19-22, 26, 31-34, 36-39, 44-47 and 49-52 have been rejected under 35 USC § 102(e) as being anticipated by published US application 2002/0080968 A1 to Olsson (hereafter "Olsson").

The Examiner contends that the Olsson reference anticipates the limitations of claims 1-4, 7-15, 19-22, 26, 31-34, 36-39, 44-47 and 49-52. Olsson is a system for determining the location of a mobile client device while simultaneously maintaining the anonymity of the mobile client through encryption. This encrypted identification may be used to provide location based services to the client in certain situations (e.g., in an emergency).

Applicants respectfully disagree. The Olsson reference cannot anticipate the present invention. At least one substantial distinguishing feature concerns the fact that Olsson deals only with the location and encryption of client identity. There is no recitation or implication of the creation of multimedia content, or the encoding of the multimedia content with location or time based authentication data as required by the independent claims. Further, the cited reference focuses only on location, and only recites the use of time data in regard to an alternative method for determining location (for example, see paragraphs 0028 and 0030). Paragraph 0041 is the only section of Olsson related to encryption, and this section primarily discloses a location server for determining the location of a device, and encrypting a device identification before providing it to a service provider. Again, this does not anticipate encoding multimedia content created on a multimedia device with location-based authentication data, wherein the encoding creates a content identity key that authenticates the multimedia content as being created at a certain physical location and time, as required by the independent claims.

In addition, claims 26 and 39 discuss an embodiment of the invention wherein the correlation and encryption of multimedia data with location/temporal information is performed by a server instead of the creating device. The Examiner cites Olsson Fig. 4, items 0 and 3, to show the retrieving of location based information and multimedia content, including correlating and encrypting the content. Olsson does not demonstrate the process of the present invention as recited in claims 26 and 39. The Examiner cites a figure that essentially mirrors the disclosure of paragraph 0041. As previously stated, paragraph 0041 does not disclose any aspect of the present invention related to the encryption of multimedia content with location and/or temporal information for authentication purposes.

III. Rejections Under 35 U.S.C. §103(a):

Claims 5, 6, 16-18, 23-25, 27-30, 35, 40-43 and 48 have been rejected under 35 USC § 103(a) as being unpatentable over Olsson in view of published US application 2002/0169539 A1 to Menard et al. (hereafter "Menard").

Further to the above, the Examiner incorporates the secondary reference Menard in an attempt to make obvious the specific multimedia aspects of the present invention recited, for example, in claims 23-35. More specifically, the Examiner has combined the teaching of Menard with Olsson to reject claims 5, 6, 16-18, 23-25, 27-30, 35, 40-43 and 48. Similar to Olsson, Menard is a system primarily concerned with determining the location of a device. This location may be provided by a Global means (e.g. GPS or cellular location), or alternatively via short-range technology like Bluetooth™ (see Menard, paragraph 0077).

Applicants respectfully maintain that Menard does not remedy the deficiencies of Olsson, and therefore, does not make obvious the aforementioned claims. There is no recitation or implication of the creation of multimedia data in the secondary reference. The Examiner cites to Menard paragraph 0051. However, this paragraph only discloses the non-encrypted relaying of information data related to the location of a device. There is no encryption of multimedia data including the location of the creating device or the time of creation.

Therefore, based upon the previous arguments, claim 1 and corresponding independent claims 14, 26, 39 and 52 are distinguishable from the Olsson and Menard references, alone or in combination. Further, dependant claims 2-13, 15-25, 27-38 and 40-51 are also distinguishable due to their dependence on the previously indicated independent claims.

CONCLUSION

Based on the foregoing remarks, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims and allowance of the application.

AUTHORIZATION

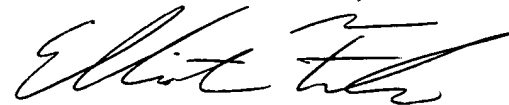
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 4208-4028. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 4208-4038. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
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Dated: November 7, 2005

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